

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 1 NOVEMBER 2016
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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DISTRIBUTED: 4 NOVEMBER 2016

CONTENTS PAGE

	Item Description	Page Number
URBAN PLANNING		
P16/3717	Initiation of Amendment No.2 to Local Planning Scheme 6 – Various Residential Upcodings	10
P16/3723	Endorsement of the Melville District Activity Centre Plan and Scheme Amendment No. 3	10
P16/3725	The Implementation of Public Art in the Melville City Centre Structure Plan Area	8
P16/3726	Review of Council Policy CP-085 Provision of Public Art in Development Proposals	9
P16/3727	Proposed Update to Council Policy – CP-098 Additional Development Exemptions	11
P16/3728	Review of Council Policy CP-078 Residential Development	11
TECHNICAL SERVICES		
T16/3730	Macrae Road, Applecross Traffic Treatment	7
COMMUNITY DEVELOPMENT		
Nil		
MANAGEMENT SERVICES		
M16/5510	Council Meeting Cycle	12
M16/5513	Proposed City of Melville Meeting Procedure Local Law 2016	12
M16/5515	Council Policy CP-091 Elected Members Allowances And Expenses Review	13
M16/5000	Common Seal Register	13
CORPORATE SERVICES		
C16/5506	Bicton North Underground Power Petition	14
C16/5514	City of Melville Community Annual Report 2015-2016	14
C16/6102	Amendments to the 2016-2017 Fees and Charges	15
C16/6000	Investment Statements for September 2016	15
C16/6001	Schedule of Accounts Paid for September 2016	16
C16/6002	Statements of Financial Activity for September 2016	16



Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon, on Tuesday 1 November 2016 commencing at 6.30pm.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6.30pm. Mr J Clark, Governance and Compliance Program Manager, read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then the Mayor advised that the meeting was being recorded for minute taking purposes and read aloud the following Affirmation of Civic Duty and Responsibility.

Purpose of Agenda Briefing Forum

The purpose of this Forum is to provide an opportunity for Elected Members to ask questions and obtain additional information in respect to reports and items on the attached Council Agenda. It is not a decision making forum, nor is it open for debate on matters. Members of the public are able to make submissions or present deputations in respect to matters on the draft Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

His Worship the Mayor Russell Aubrey

COUNCILLORS

Cr N Pazolli
Cr Schuster (Until 9.15pm)
Cr J Barton, Cr G Wieland
Cr M Woodall Cr C Robartson
Cr D Macphail, Cr R Aubrey
Cr P Phelan, Cr O Malley
Cr N Foxton
Cr T Barling (From 6.41pm)

WARD

Applecross/Mount Pleasant
Applecross/Mount Pleasant
Bicton/ Attadale
Bull Creek/Leeming
City
Palmyra/Melville/Willagee
University
University

3. IN ATTENDANCE

Dr S Silcox
Ms M Tieleman
Mr J Christie
Mr S Cope
Ms C Young
Mr L Hitchcock
Mr G Ponton (Until 10.08pm)
Mr D Cracknell (Until 10.08pm)

Chief Executive Officer
Director Corporate Services
Director Technical Services
Director Urban Planning
Director Community Development
Executive Manager Legal Services
Manager Strategic Urban Planning
Senior Strategic Urban Planner

IN ATTENDANCE – CONTINUED

Mr W Schaefer (Until 10.08pm)	Strategic Urban Planner
Mr P Prendergast (Until 10.12pm)	Manager Statutory Planning
Mr M Scarfone (Until 10.12pm)	Planning Services Coordinator
Ms L Reid (Until 9.15pm)	Manager Cultural Services
Ms K Brosztl (Until 6.57pm)	Manager Engineering
Mr K Khalil (Until 6.57pm)	Traffic and Road Safety Coordinator
Mr J Clark	Governance and Compliance Program Manager
Ms C Newman (Until 10.25pm)	Executive Support & Governance Officer
Mr N Fimmano	Governance and Property Officer

At the commencement of the meeting there were 11 members from the public and no members from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES**

Nil

4.2 APPROVED LEAVE OF ABSENCE

Nil

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil

5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE ELECTED MEMBERS BULLETIN.

Nil

6. QUESTION TIME

Nil

7. DISCLOSURE OF INTEREST

Item P16/3717 – Cr Pazolli - Initiation of Amendment No.2 to Local Planning Scheme 6 – Various Residential Upcodings.

Item P16/3723 – Cr Wieland - Endorsement of the Melville District Activity Centre Plan and Scheme Amendment No. 3.

Item T16/3730 – Cr Schuster - Macrae Road, Applecross Traffic Treatment

8. DEPUTATIONS

P16/3725 Ms J Berrigan from AMP Capital and Mr S Fairfoul from Rowe Group
P16/3725 Mr D Caddy on behalf of the Trans Continental Group – Owners of 184-
204 Davy Street
P16/3726 Ms B Provis, Mr D Kerr and Mr P Gow – on behalf of All Saints College
T16/3730 Mr R Stuart – Lead Petitioner
T16/3730 Mr J Corser

9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

10. BUSINESS

PROCEDURE FOR AGENDA BRIEFING FORUMS

PRINCIPLES

The Agenda Briefing Forum which occurs two weeks prior to the Council meeting provides an opportunity for Elected Members to ask questions and clarify issues relevant to the specific agenda items before Council. The briefing is not a decision-making forum and the Council has no power to make decisions in the Forum.

In order to ensure full transparency the meetings will be open to the public to observe the process. Where matters are of a confidential nature, they will be deferred to the conclusion of the briefing and at that point the briefing session closed to the public. The reports provided are the officers' professional opinions. While it is acknowledged that Members may raise issues that have not been considered in the formulation of the report and recommendation, it is a basic principle that as part of the briefing sessions Elected Members cannot direct officers to change their reports or recommendations.

PROCESS

The Agenda Briefing Forum will commence at 6.30pm in accordance with the Schedule of Public Meetings (except January). It will be chaired by His Worship the Mayor or in his absence, the Deputy Mayor or in his/her absence the immediate past serving Deputy Mayor. In the absence of all, Elected Members will elect a Presiding member from amongst those present. In general, Standing Orders will apply, EXCEPT THAT Members may speak more than once on any item and there is no moving or seconding of items.

Where an interest is involved in relation to an item, the same procedure which applies to Ordinary Meeting of Council will apply. It is a breach of the City's Code of Conduct for an interest to not be declared. The briefing will consider items on the agenda only and proceed to deal with each item as they appear. The process will be for the Presiding Member to call each item number in sequence and ask for questions. Where there are no questions regarding the item, the briefing will proceed to the next item.

AGENDA CONTENTS

While every endeavour is made to ensure that all items to be presented to Council at the formal council meeting are included in the Agenda Briefing Forum, it should be noted that there will be occasions when, due to necessity, items will not be ready in time for the forum session and will go straight to the Council agenda as a matter for decision. Further, there will be occasions when items are TABLED at the briefing rather than the full report being provided in advance. In these instances, staff will endeavour to include the item on the agenda as a late item.

AGENDA DISTRIBUTION

The agenda will be distributed to Elected Members on the FRIDAY prior to the Agenda Briefing Forum. Copies will be made available to the libraries and the Internet for interested members of the public. Spare agendas will be available at the Agenda Briefing Forum for interested members of the public.

DEPUTATIONS

Deputations may be heard prior to the commencement of an item.

The following guidelines have been prepared to assist groups who have requested or been invited to a Council Meeting, Agenda Briefing Forum or Committee Meeting to present a submission.

A deputation must relate to a report on the meeting agenda.

- (a) Notice of a request for deputation must be in writing and include the name, office and contact details of members of the deputation and be forwarded to the Chief Executive Officer, by either **Mail** at Locked Bag 1, Booragoon WA 6954, **Email** at deputations@melville.wa.gov.au or **Fax** on 9364 0285 by 9.00am on the Monday prior to the meeting.
- (b) The request should be received at least two working days before the meeting and a response will be given by the Governance and Compliance Program Manager. If approved the G&CPM will respond to the email and include as attachments the "Guidelines and Protocols" document and the "purpose of the Agenda Briefing Forum".
- (c) A deputation may comprise a maximum of three people of which only two may speak.
- (d) An outline of the points to be made in addressing the Council, Agenda Briefing Forum or the Committee must be submitted in writing by 9.00am on Monday prior to the meeting.
- (e) The person/s requesting the deputation will be required to advise the main points they wish to make in a given time of 10 minutes (dot points are fine).
- (f) The representatives of the deputation will be met in the Council Chamber of the Civic Centre by a Council Officer 10 minutes prior to the commencement of the meeting.
- (g) 20 hardcopies of the presentation will be required if a copy of the presentation is to be distributed to Elected Members and staff.
- (h) The Presiding Member will ask the leader of the deputation to present the submission on behalf of the Group. The leader of the deputation may call on one other member of the deputation to assist.
- (i) The deputation period, including the time allowed for the questions and answers from Members of the Committee, should not exceed 15 minutes, of which 10 minutes is for the presentation and five minutes is for question time, unless the Council grants an extension of time.
- (j) The Presiding Member has discretion to permit a Deputation to present a submission under other circumstances.

RECORD OF BRIEFING

The formal record of the briefing session will be limited to notes regarding any agreed action to be taken by staff or elected members. No recommendations will be included.

QUESTION TIME

Question Time will be limited to fifteen (15) minutes and be the first item of Business immediately following Apologies at the commencement of the meeting. Questions must relate to the ordinary business on the Agenda of the Agenda Briefing Forum. A question must be submitted in writing by 10am on the day **before** the start of the Agenda Briefing Forum. Should the preceding day be a public holiday, questions must be received by 10am on the day of the Agenda Briefing Forum.

If a person asking a question is not present in the Council Chamber when the question is read, the question will be taken on notice and be answered in writing.

A summary of any questions (except those rejected) and a summary of the response will be recorded in the Notes of the Agenda Briefing Forum.

- (a) The Presiding Member may, with absolute discretion, accept or reject the question, or determine that any complex questions requiring research, be answered in writing.
- (b) The Mayor may nominate a Member or Officer to answer the questions.
- (c) No debate or discussion will be permitted on any question or answer
- (d) In addition to question time during the meeting, the Mayor or Elected Members may make themselves available after the meeting to meet members of the public to answer any questions.

DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

Members' interests in matters to be discussed at meetings to be disclosed

S.5.65 A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

Meeting to be informed of disclosures

S.5.66 If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

Disclosing members not to participate in meetings

S.5.67 A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

Please refer to your Handbook for definitions of interests and other detail.

11. AGENDA ITEMS FOR PRESENTATION

At 6.39pm the Mayor requested that items T16/3730, P16/3725 and P16/3726 be brought forward for discussion.

At 6.41pm Cr Barling entered the meeting

T16/3730	Macrae Road, Applecross Traffic Treatment
	<p>OFFICER PRESENTATION Kimberly Brosztl – Manager Engineering in conjunction with Kamal Khalil - Traffic and Road Safety Coordinator</p> <p>DEPUTATION PRESENTATION/S From 6.39pm to 6.48pm a deputation was heard from Mr R Stuart – Lead Petitioner and Mr J Corser.</p> <p>DISCLOSURE OF INTEREST Cr Schuster – Interest under the Code of Conduct</p> <p>NOTES FROM FORUM Elected Members requested that they be advised of the date that the article on the Macrae Road update was placed in the Melville Times and also the date the Council Website was updated.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation</p>

At 6.57pm K Brosztl and K Khalil left the meeting.

At 7.45pm Cr Woodall left the meeting and returned at 7.47pm.

At 7.45pm Dr Silcox left the meeting and returned at 7.47pm

<p>P16/3725</p>	<p>The Implementation of Public Art in the Melville City Centre Structure Plan Area</p>
	<p>OFFICER PRESENTATION Mark Scarfone - Planning Services Coordinator in conjunction with Peter Prendergast – Manager Statutory Planning and Leeann Reid - Manager Cultural Services.</p> <p>DEPUTATION PRESENTATION/S From 6.58pm to 7.25pm a deputation was heard from Ms J Berrigan from AMP Capital and Mr S Fairfoul from Rowe Group.</p> <p>From 7.26pm to 7.45pm a deputation was heard from Mr D Caddy on behalf of the Trans Continental Group – Owners of 184- 204 Davy Street.</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that they be advised on how much of ratepayers money has the City has spent on Public Art.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

At 8.16pm Cr Pazolli left the meeting and returned at 8.18pm.
At 8.37pm Cr Robartson left the meeting and returned at 8.40pm.
At 9.01pm Cr Phelan left the meeting and returned at 9.04pm.

P16/3726	Review of Council Policy CP-085 Provision of Public Art in Development Proposals
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning in conjunction with Mark Scarfone - Planning Services Coordinator and Leeann Reid - Manager Cultural Services.</p> <p>DEPUTATION PRESENTATION/S From 8.15pm to 8.40pm a deputation was heard from Ms B Provis, Mr D Kerr and Mr P Gow – on behalf of All Saints College</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that they be provided with the following information:</p> <ol style="list-style-type: none"> 1. A copy of the final version of CP-085 - Provision of Public Art in Development Proposals, without the track changes. 2. The amount of monies paid by Not for Profit Organisations for Public Art. 3. Clarify whether the State Planning Policy includes a requirement for 1% Public Art, in line with the Council Policy. 4. Does the Policy contradict itself in respect of 1% Public Art definitions? <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

At 9.15pm The Mayor adjourned the meeting for a comfort break.

At 9.15pm Cr Schuster left the meeting and did not return.

At 9.23 the Meeting Resumed

P16/3717	Initiation of Amendment No.2 to Local Planning Scheme 6 – Various Residential Upcodings
	<p>OFFICER PRESENTATION William Schaefer – Strategic Urban Planner</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Pazolli – Interest Under the Code of Conduct</p> <p>NOTES FROM FORUM Elected Members requested that they be advised if Local Planning Scheme 6 includes the properties facing Colleran Way, Booragoon.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation</p>

At 10.01pm Cr Wieland, having declared an interest in Item P16/3723 left the meeting

P16/3723	Endorsement of the Melville District Activity Centre Plan and Scheme Amendment No. 3
	<p>OFFICER PRESENTATION Dean Cracknell – Senior Strategic Urban Planner</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Wieland – Proximity Interest</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 10.08pm Mr Schaefer and Mr Cracknell left the meeting.

At 10.08pm Cr Wieland returned to the meeting.

P16/3727	Proposed Update to Council Policy – CP-098 Additional Development Exemptions
	<p>OFFICER PRESENTATION Mark Scarfone – Planning Services Coordinator in conjunction with Peter Prendergast – Manager Statutory Planning.</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

P16/3728	Review of Council Policy CP-078 Residential Development
	<p>OFFICER PRESENTATION Mark Scarfone – Planning Services Coordinator in conjunction with Peter Prendergast – Manager Statutory Planning.</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

At 10.12pm Mr Prendergast and Mr Scarfone left the meeting.

At 10.13pm Cr Barton left the meeting and returned at 10.15pm.

M16/5510	Council Meeting Cycle
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

M16/5513	Proposed City of Melville Meeting Procedure Local Law 2016
	<p>OFFICER PRESENTATION – IF REQUESTED Corrine Newman – Executive Support & Governance Officer</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 10.25pm Ms Newman left the meeting

M16/5515	Council Policy CP-091 Elected Members Allowances and Expenses Review
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

M16/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C16/5506	Bicton North Underground Power Petition
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C16/5514	City of Melville Community Annual Report 2015-2016
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C16/6102	Amendments to the 2016-2017 Fees and Charges
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C16/6000	Investment Statements for September 2016
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C16/6001	Schedule of Accounts Paid for September 2016
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C16/6002	Statements of Financial Activity for September 2016
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

12. CLOSURE

There being no further business to discuss, the Mayor closed the Agenda Briefing Forum at 10.26pm.